

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF PENNSYLVANIA

In Re:

Garnet Valentine Irving

Debtor

Chapter 13

Bankruptcy No. 23-12611-AMC

TRUSTEE'S MOTION TO DISMISS WITH A BAR ORDER
PURSUANT TO 11 U.S.C. SECTIONS 105 AND 1307

To the Honorable Judges of the United States Bankruptcy Court for the Eastern District of Pennsylvania:

1. Your Movant is Scott F. Waterman, Esq. the duly qualified and acting Chapter 13 Trustee in the above-captioned case.
2. The within case was commenced by the filing of a Chapter 13 petition on 08/31/2023.
3. This Motion to Dismiss has been filed for the following reason(s):
 - The Debtor(s) has/have failed to commence or continue making timely payments to the Trustee as required by 11 U.S.C. Section 1326.
 - There has been unreasonable delay as defined by 11 U.S.C Section 1307(c)(1) by the above-captioned Debtor(s).
4. The debtor has filed three prior bankruptcy cases, either individually, or jointly with a spouse, as follows:
 - (1) 13-16926-JKF, Chapter 13, filed by Garnet V. Irving on August 6, 2013. The case was dismissed on Trustee's Motion to Dismiss on May 2, 2018 due to the failure of the debtor to make plan payments.
 - (2) 18-13729-AMC, Chapter 13, filed by Garnet V. Irving on June 5, 2018. The case was dismissed on Trustee's Motion to Dismiss on June 17, 2020 due to the failure of the debtor to make plan payments.
 - (3) 20-12969-AMC, Chapter 13, filed by Garnet V. Irving on July 10, 2020. The case was dismissed on Trustee's Motion to Dismiss on August 23, 2023 due to the failure of the debtor to make plan payments.

WHEREFORE, Scott F. Waterman, Esq., Standing Chapter 13 Trustee, respectfully requests that, pursuant to 11 U.S.C. Sections 105 and 1307, the Court enter an Order dismissing this case and barring the debtor from filing another bankruptcy petition, either individually or jointly with a spouse, without prior leave of Court FOR A PERIOD OF TWO YEARS.

Date: 04/02/2024

Respectfully submitted,

/s/ Ann Swartz, Esq.

Ann Swartz, Esq.

for

Scott F. Waterman, Esq.

Standing Chapter 13 Trustee

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